

**REMARKS/DISCUSSION OF ISSUES**

Claims 1 and 3-10 are pending in the application. Claims 1-10 are rejected. Claim 2 is cancelled.

Claims 1, 5 and 9

Claims 1, 5 and 9 are rejected under 35 USC 102(b) as being anticipated by Northrup et al. (U.S. 5,959,404) (herein 'Northrup').

Northrup discloses a starting aid for metal halide lamps, in which cavities (46, 48, 50 and 52) are provided in the periphery of the press seals (22, 23) of an arc tube (16), and a ground plane (58) surrounds the cavities. The structure of the ground plane can be provided by a standard mount supporting structure, such as shown in Muzeroll et al. U.S. Pat. No. 5,252,885, the teachings of which are incorporated into Northrup's teachings by reference.

The mounting structures shown by Muzeroll are complex mechanical structures none of which include wires or clamping bodies.

Claim 1 is currently amended to incorporate the limitations of claim 2, so that the capacitive body comprises a wire which is wound around the seal. Claim 2 is cancelled.

Claim 3 is currently amended to incorporate the limitations of claim 1, so that the capacitive body is in the form of a resilient body which which clamps itself partially around the seal.

Claim 9 is currently amended to call for the seal to be a collapsed seal, as described at page 6, lines 11-18 of the specification.

Since neither Northrup nor Muzeroll teach or suggest either of the claimed forms of capacitive body, or of the collapsed seal, claims 1, 5 and 9 are not anticipated by Northrup, and the rejection should be withdrawn.

Claims 1, 4 and 9

Claims 1, 4 and 9 are rejected under 35 USC 102(b) as being anticipated by Morris U.S. patent 5,323,091.

Morris discloses a starting source for arc discharge lamps. In one embodiment, a cavity (50) in the press seal (42) of the arc tube (40), encompasses a portion (51) of Mo foil (44). An external ground plane (54) adjacent to the cavity (50) forms a capacitive coupling with the foil (44) (col. 3, lines 31-45).

The cavity (50) is formed by drilling a hole or forming an indentation in a press foot prior to formation of the press seal (col. 3, lines 56-60).

In another embodiment, the ground plane (64) is in the form of a U-shaped conductor, attached to the outside of the press seal (42), or mounted close to the press seal (42) (col. 4, lines 33-36).

Morris does not teach or suggest a ground plane in the form of a wire which is wound around the seal, or a resilient body which clamps itself partially around the seal.

Moreover, Morris does not teach or suggest forming the cavity by means of a collapsed seal.

Accordingly, Morris does not anticipate claims 1, 4 and 9, and the rejection should be withdrawn.

Claims 2 and 3

Claims 2 and 3 are rejected under 35 USC 103(a) as being unpatentable over Northrup as applied above, in view of previously cited Nieuwenhuizen.

The limitations of claim 2 are now incorporated into claim 1, and claim 2 is cancelled.

Nieuwenhuizen is disqualified as a reference under 35 USC 103(c)(1), since at the time of Applicant's invention, both Applicant's invention and the invention described in Nieuwenhuizen were commonly owned by, or subject to an obligation of assignment to, Koninklijke Philips Electronics N.V. See the "Guidelines Setting Forth a Modified Policy Concerning the Evidence of Common Ownership, or an Obligation of Assignment to the Same Person, as Required by 35 U.S.C. 103(c)," 1241 OG 96 (Dec. 26, 2000).

Moreover, in response to the Examiner's arguments in the Final office action, it is again pointed out that Nieuwenhuizen does not teach to both electrically isolate the capacitive body and to apply the ignition voltages to the electrodes, as specifically required by claims 1 and 3.

Accordingly, the combination of Northrup and Nieuwenhuizen fails to teach or suggest Applicant's invention as claimed in claims 1 and 3, and the rejection should be withdrawn.

Claims 6 and 7

Claims 6 and 7 are rejected under 35 USC 103(a) as being unpatentable over Northrup as applied above, in view of previously cited Kawashima.

Without conceding the patentability per se of claims 6 and 7, these claims are patentable by reason of their dependency upon, and incorporation of the limitations of, claim 1.

Accordingly, claims 6 and 7 are patentable over the combination of Northrup and Kawashima, and the rejection under 35 USC 103(a) should be withdrawn.

Claims 8 and 10

Claims 8 and 10 are rejected under 35 USC 103(a) as being unpatentable over Northrup as applied above, in view of Adamson (U.S. patent 6,094,017).

Without conceding the patentability per se of claims 8 and 10, these claims are patentable by reason of their dependency upon, and incorporation of the limitations of, claim 1.

Accordingly, claims 8 and 10 are patentable over the combination of Northrup and Kawashima, and the rejection under 35 USC 103(a) should be withdrawn.

Finality of Office action

The Examiner has stated that the finality of the outstanding Office action was necessitated by Applicant's prior amendments filed 3/15/06 and 7/7/06.

However, the only substantive change made by these amendments related to the addition of the limitation to claims 1 and 9 regarding connection of the electrodes to an ignition system. The amendment to claim 8 and the addition of claim 10 related to an improvement in form, not to any substantive change.

Adamson is the only one of the references which was applied by the Examiner for teachings related specifically to

the ignition system, and this reference was applied to claims 8 and 10, not to claims 1 and 9.

Thus, Applicant believes that the amendments of 3/15/06 and 7/7/06 did not necessitate the present rejection, and respectfully requests that the finality of the outstanding Office action be withdrawn.

In addition, Applicant respectfully requests that the Examiner withdraw the rejections of record, allow all the pending claims, and find the application to be otherwise in condition for allowance.

Respectfully submitted,

A handwritten signature in cursive script, reading "John C. Fox". The signature is written in dark ink and is positioned above a horizontal line.

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